

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

ePLUS INC.,

Plaintiff,

v.

LAWSON SOFTWARE, INC.,

Defendant.

DEFENDANT LAWSON SOFTWARE, INC.'S MOTION IN LIMINE NO. 9 TO PREVENT ePLUS FROM RELYING ON DIRECTED CUSTOMER DEMONSTRATION NOT REPRESENTATIVE OF ACTUAL CUSTOMER USE OF THE LAWSON SYSTEM

Defendant Lawson Software, Inc. (“Lawson”), by counsel, moves *in limine* to preclude Plaintiff ePlus, Inc. (“ePlus”) from presenting evidence and argument relating to a demonstration performed at the instruction of ePlus’s counsel during the deposition of Lawson’s customer, South Jersey Healthcare, on the grounds that the demonstration does not accurately represent how the customer uses the accused products. The video of the demonstration is irrelevant and prejudicial to Lawson and will likely confuse the jury because ePlus used the Lawson customer as its pawn to do the demonstration. Thus, the customer demonstration and related testimony should be excluded as prejudicial and irrelevant under Fed. R. Evid. 402 and 403. The grounds for this Motion are more fully set forth in Lawson’s Memorandum in support of the Motion, which is filed herewith.

LAWSON SOFTWARE, INC.

By /s/
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CERTIFICATE OF SERVICE

I certify that on this 18th day of June, 2010, a true copy of the foregoing will be filed electronically with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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